

MALIK SOLOMON
INMATE NUMBER: KC-2341
STATE CORRECTIONAL INSTITUTION AT PHOENIX
1200 MOKYCHIC DRIVE, P.O. BOX 244
COLLEGEVILLE, PA 19426

April 18, 2025

CLERK OF COURT
United States Courthouse
601 Market Street, Rm. 2609
Philadelphia, PA 19106-1797

Re: Solomon v City of Philadelphia, et al., No.: 24-CV-5606

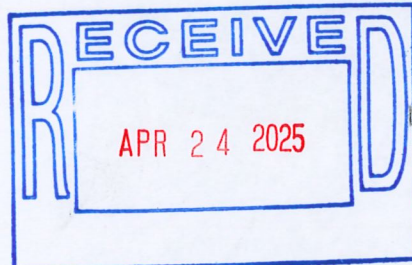
Dear Clerk:

Good Day to you. Kindly note that recently I had been transferred from SCI-Rockview to SCI-Phoenix, located at 1200 Mokyhcic Drive, P.O. Box 244, Collegeville, PA 19426.

Also enclosed you will find a motion I wish to have entered into the record and forwarded to the court, also note that I have served the defendant, City of Philadelphia in accords with Fed. Rules of Civil Procedure.

Thank you, for your time and attention with this matter.

Respectfully,



Malik Solomon
Malik Solomon

(Enclosure)
cc: File
City of Philadelphia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MALIK SOLOMON,	:	§§ 1983 CIVIL RIGHTS ACTION
Plaintiff	:	
	:	
V.	:	
CITY OF PHILADELPHIA, et al.,	:	DOCKET NO.:
Defendants	:	24-CV-5606

MOTION FOR RENEWED SERVICE OF DEFENDANTS RESPONSE

AND NOW, comes Malik Solomon, plaintiff in this instant proceeding, and seeks Order of this Honorable Court for the defendant(s) "City of Philadelphia, et al.," to re-serve plaintiff with defendant's motion (ECF No.25) in compliance with Federal Rule of Civil Procedure 5(b) and submits the following facts in support:

1. Plaintiff initiated this instant civil action in good faith having complied with the Federal Rules of Civil Procedure.
2. It has been brought to this plaintiff's attention that service could not be effectuated upon Defendant "C. Brooks" at the address provided; moreover via footnote, the Court indicated that the failed service was due to an incorrect name, i.e. "C. Brooks", since said name did not appear on list of employees for the City of Philadelphia.
3. On or about, February 4, 2025, this Honorable Court issued an Order wherein at ¶ 4, the order states in part, "The City of Philadelphia shall use its best efforts to identify the John and

Jane Doe defendants...", specifically regarding the employee's/defendant's alleged to have been involved with the incident which occurred on June 28, 2023.

4. It is hereby averred the City of Philadelphia possess the necessary resources to identify and provide plaintiff with the identifying information of said defendant's/employee's present at the site of the incident on June 28, 2023.

4. Moreover, plaintiff aver he may have mis-stated/mis-identified the defendant "Brooks" as "C." Brooks, however plaintiff believes said defendant's name may in-fact be Destiny (D.) Brooks; it is also stated that, the City of Philadelphia has the resources to provide plaintiff with the correct name of defendant "Brooks" by virtue of work logs identifying a "Brooks" employed and working said shift alleged and in the area of the incident.

5. Plaintiff hereby set forth, the defendants "City of Philadelphia" have not engaged in a "good faith" effort and/or provided plaintiff with identifying information of any kind.

6. Additionally, plaintiff hereby state that no service has been made upon plaintiff regarding any document/pleading/motion and/or otherwise.

7. On or about, March 10-11, 2025, plaintiff had been restrained and placed in "solitary confinement" at his place of incarceration ("SCI-Rockview") in apparent retaliation for filing a grievance against administration/staff, having remained in isolation until his recent transfer from SCI-Rockview to SCI-Phoenix, located at 1200 Mokychic Drive, P.O. Box 244,

Collegeville, PA 19426.

8. On or about, April 16, 2025 and shortly after arrival at SCI-Phoenix, plaintiff was released from solitary confinement on April 16, 2025.

9. At present, and in accords with the Federal Rules of Civil Procedure, plaintiff hereby provide this Court, defendant's and the Clerk with notice of his change of address, his first available opportunity to do so, said address as set forth in paragraph seven (7) above.

10. Also bringing to this Court's attention, plaintiff has not received any motion as submitted by defendant, it is believed said service by the defendant's may have been sent to SCI-Rockview, plaintiff's previous place of incarceration.

12. Accordingly, plaintiff seeks this Honorable Court's permission to respond to defendant's motion upon re-service, specifically to the motion referred to in the Court's March 20, 2025 Order, and in consideration of the extraordinary circumstances set forth above.


PRAYER FOR RELIEF

WEHREFORE, plaintiff pray this Honorable Court Order: a) defendant's City of Philadelphia to re-serve the motion providing plaintiff opportunity to respond in a timely manner; b) Order the defendant's City of Philadelphia to comply in good faith with this Court's order dated February 4, 2025, and provide plaintiff with all identifying information of the alleged

defendant's/persons including, but not limited to, employee/Corrections Officer Brooks, specifically as having been present on the day and place of the incident; c) grant plaintiff an "extension of time" to file a response to defendant's motion upon receipt thereof; and/or grant any other relief this Honorable Court deem just and appropriate.

Respectfully Submitted,


Date: 4-18-25


Malik Solomon
Inmate No.: KC-2341
SCI-Phoenix
1200 Mokychic Drive
Collegeville, PA 19426

VERIFICATION

I, Malik Solomon, pro se Plaintiff, do hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief. I further state that any false statements are made subject to the full penalties of the law.

Date: 4-18-25


Malik Solomon
Pro se plaintiff

CERTIFICATE OF SERVICE


I, Malik Solomon, plaintiff in the instant matter do hereby certify that I have served a true and correct copy of the foregoing motion upon the parties and in the manner as set forth below:

U.S. First Class Mail:

Philadelphia City Commissioners
520 N. Delaware Avenue
Philadelphia, PA 19123

Clerk of Courts
U.S. Courthouse
601 Market Street
Philadlephia, PA 19106

Date: 4-18-25



Malik Solomon
Pro se plaintiff

MALIK SOLOMON
KC-2341
SCI-Phoenix
1200 MCKINCHIE DRIVE
COLLEGEVILLE, PA 19426



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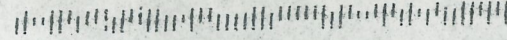
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CERTIFIED MAIL[®]



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Clerk of Courts
United States Courthouse
601 Market Street, Rm. 2609
Philadelphia, PA 19106-1797



LEGAL MAIL
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